

Submitted April 28, 2010

Approved As of

Date April 28, 2010

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION**  
**MEETING NO. 6-10**  
**Wednesday, March 10, 2010**

The City of Rockville Planning Commission convened in regular session in the Mayor and Council Chambers at 8:00 p.m., Wednesday, March 10, 2010.

**PRESENT**  
**David Hill, Chair**  
**Steve Johnson**  
**John Tyner II**  
**Robin Wiener**

**Absent:** Sarah Medearis  
Kate Ostell  
Tracy Pakulniewicz-Chidiac  
Bridget Newton, Council Liaison

**Present:** Susan Swift, Director of CPDS  
Jim Wasilak, Chief of Planning  
Bobby Ray, Principal Planner  
Marcy Waxman, Assistant City Attorney  
David Levy, Chief of Long Range Planning  
Cas Chasten, Planner III  
Mary Fertig, Public Works  
Rebecca Torma-Kim, Transportation Planner  
Tyler Tansing, Commission Secretary

**REVIEW AND ACTION**

**Site Plan STP2010-00020, City of Rockville - for rehabilitation and expansion of the former post office and construction of an annex building to be used as the City's police station at 2 West Montgomery Avenue in the MXNC Zone.**

This application was deferred until the next meeting.

**Final Record Plat PLT2010-00499, City of Rockville - for the assemblage of two partial record lots into a single record lot of 23,912 square feet and street dedication at 2 West Montgomery Avenue in the MXNC Zone.**

This application was deferred until the next meeting.

**Site Plan STP2010-00017, Montgomery County Department of General Services - for construction of a 166,000 square foot annex to the Montgomery County Judicial Center at 50 Maryland Avenue in the MXTD Zone.**

Commissioner Hill discussed the procedures for this application.

Mr. Wasilak pointed out two items requested by the Commission regarding this item that have been distributed this evening.

Mr. Chasten presented the staff report.

Ms. Waxman and Mr. Wasilak explained and compared the Mandatory Referral process to a site plan review process.

The Commission and staff discussed whether it should hear the application as a site plan or as a mandatory referral; total parking availability to the public in the Town Center during the week; phases of the project; APFO as it relates to the subject project; traffic issues; activity access to the Town Center; and dispersal of governmental units throughout the Town Center.

Rebecca Torma-Kim, Transportation Planner presented the transportation report for the area.

Commissioner Tyner asked if there was any consideration of re-designating Route 28 away from the Town Center. Ms. Torma-Kim explained.

Commissioner Johnson asked Ms. Torma-Kim to explain what happens when an intersection fails. Ms. Torma-Kim explained and talked about other intersections that were studied by the City. Commissioner Wiener inquired about safety issues with the Monroe Place and Route 355 intersection. Ms. Torma-Kim explained.

Commissioner Hill questioned the traffic study regarding the Judicial Center Annex and the County Office Building. Ms. Torma-Kim explained.

Harry Thomas, 1121 Lewis Avenue, stated that he was representing the Traffic and Transportation Commission (T&TC). He explained that the T&TC denied the Judicial Center Annex and asked that the County go through Mandatory referral process. He further explained.

The Commission further discussed the traffic and pedestrian issues in Town Center.

Commissioner Hill questioned Public Works about that sewer system that runs south of

downtown to the Cabin John watershed, and that might need repair and replacement. He said he wanted to make sure what the resolution is on that sewer and its capacity before a large building is constructed in Town Center. Mary Fertig, Civil Engineer II explained the situation.

Hamid Omidvar, architect and representing the applicant, presented the project. Mr. Omidvar spoke about the Mandatory Referral process and said that they wanted to work with the City staff and wanted to maximize their presentation to the public and receive input from the public as well as City staff. Mr. Omidvar further provided information on the traffic and intersection issues and the proposed project.

Commission questions and concerns pertained to causes of increase in car trips; what would happen if the proposed Annex were not built, how would the County deal with the proposed traffic increases in Town Center and what could be done; what would be the practical considerations for relocating County services buildings elsewhere in Town Center; parking model for future parking facilities for County services; and obtaining pedestrian access to the proposed Annex with an entrance onto Maryland Avenue, which would engage the building to the community around it rather than having an entrance out on the courtyard. Mr. Omidvar explained.

Commissioner Tyner inquired what the Fire Marshal said about the evacuation plans. Randy Hawkins with the Department of General Services, explained.

Mike Connor, traffic consultant with Desmond Associates answered questions from the Commission regarding traffic mitigation, trip reduction measurements, intersections, and parking and stacking issues.

Harry Thomas, 1121 Lewis Avenue, stated that the proposed Annex is a beautiful building and he spoke about pedestrian and parking issues in the Town Center. He further suggested that the County install a pedestrian sky-walk, convenient signage, and shelter stops along Jefferson Street.

With no member of the public present to speak, Commissioner Hill declared the hearing on this application closed in order to discuss the next steps.

The Commission discussed the proposed project as to whether it would take the application up as a site plan approval process or the mandatory referral process.

After discussion, Commissioner Hill reopened the hearing for discussion with the applicant's representatives.

Discussion followed regarding a sky-walk from a future garage to a government building; whether the project met the APFO requirements, and that a waiver might be needed if the Commission decided that the application would require site plan approval and would require a majority vote (five members) present. Mr. Omidvar explained that it is the County's wish to go through the mandatory referral process now and they expressed that at the very beginning.

Commissioner Hill stated that there is no super majority for waiver approval to make an action this

evening. He said a vote of five is warranted for the waiver.

Commissioner Tyner stated that he might want to reconsider mandatory referral because from the discussion tonight, he feels that holding up this applicant would delay this project and the applicant has been very clear about the details of this project.

After further discussion of one of the conditions regarding signage underneath the Annex for parking flow, Commissioner Hill closed the public hearing.

Commissioner Johnson moved, seconded by Commissioner Wiener to approve Site Plan STP2010-00017, Montgomery County Department of General Services as a Mandatory Referral consistent with the Master Plan in terms of location, character and extent of the development with staff recommendations that the applicant should comply with. The motion passed on a vote of 4-0 with Commissioners Ostell, Medearis and Pakulniewicz-Chidiac being absent. Commissioner Hill explained the rationale as to why he voted aye.

Mr. Wasilak stated that the County Executive will be meeting with the Mayor and Council about the Government Corps Facilities Master Plan on Monday, March 15, 2010.

## **COMMISSION ITEMS**

### **Chief of Planning Report**

Mr. Wasilak discussed the Commission's upcoming agenda for March 24, 2010. He stated that the Senior Center and Post Office that were deferred tonight will be on that agenda.

Commissioner Tyner inquired about the traffic surveys that were done for the Senior Center and the Police Station.

Mr. Wasilak stated that an updated Long-range calendar for the Commission will be on the agenda for March 24, 2010.

### **Old Business**

Mr. Wasilak stated that all of the Commission's information requests for the Senior Center have been compiled and will be in the Commission's brief books on Friday.

Commissioner Wiener asked about an update on a grocery store in the Town Center. Mr. Levy replied that there have been no updates.

### **New Business**

Commissioner Hill announced that Commissioner Johnson has tendered his resignation effective April 29, 2010.

## **Opening discussion on Critical Parcels in Master Plan**

The Commission and staff discussed critical parcels in the Master Plan. Mr. Levy defined critical parcels. He distributed a list of eight critical parcels and a description of what makes a parcel critical.

Ms. Swift stated that the Council of Government (COG) produced a regional plan and they have already made a presentation to the Mayor and Council. COG will be coming back to the Mayor and Council sometime in April to ask for their approval. COG has also offered to make a presentation to the Planning Commission for one of its April meetings if the Commissioners are interested. Ms. Swift further explained the Plan.

## **Minutes**

No action on the minutes due to a lack of a quorum for the subject meeting.

## **FYI Correspondence**

Commissioner Hill mentioned that he forwarded a message from Larry Giammo to the Commission regarding the APFO. He also mentioned that there was an administrative and technical problem in getting this message through to the Commissioners. But, he believes that staff has solved the matter by creating a direct email link from the public web pages to the Commission mailbox. This public email was further discussed.

Commissioner Hill noted that he was handed some correspondence regarding art work in the Twinbrook and the JBG, which he will distribute to staff.

Mr. Levy mentioned that the Commission received a memorandum in their brief books regarding Plan Maryland. He further explained.

Mr. Wasilak reported on the Planning Academy for Rockville citizens, which will be held on Tuesday, March 16, 2010 at 6:30 p.m. in the Mayor and Council Chamber. Mr. Wasilak further explained the event.

Commissioner Wiener stated that it was a good possibility this meeting will be her last meeting. She thanked the Commission and staff and said that she has enjoyed her five and a half years on the Commission and it has been a huge learning experience and honor as well as being a great joy to be with this Commission.

## **ADJOURN**

After further discussion, the meeting adjourned at 10:46 p.m.

Respectfully Submitted,

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Tyler Tansing, Commission Secretary